

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

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March 29, 2023

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: Freedom of Information Act Request / “Popcorn Polymer Accumulation, Pipe Rupture, Explosions, and Fires at TPC Group Chemical Plant Butadiene Unit” Investigation Report

Dear Information Request Department:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended, and your agency’s implementing regulations, we respectfully request copies of the following documents:

All documents regarding pollution and chemicals potentially released from TPC’s Port Neches plant due to the Nov. 27, 2019 incident, including due to fires and water runoff in the months after the incident:

- (i) All documents related to the EPA’s monitoring of air and water quality, visible emissions, odor surveys, and U.S. EPA ASPECT system data collection, including data collected, procedures and policies related to data collection, and any other notes or documents related to the monitoring and/or capturing their observations related to the air and water quality.
- (ii) All documents that the EPA reviewed during its investigation(s) and analysis of the Nov. 27, 2019 incident at TPC’s Port Neches plant.
- (iii) All documents that the EPA gathered from third parties during its investigation(s) and analysis of the Nov. 27, 2019 incident at TPC’s Port Neches plant.
- (iv) All transcripts, interview notes, maps, charts, graphs, videos, pictures, and emails that the EPA reviewed and/or gathered from third parties during its investigation(s) and analysis of the Nov. 27, 2019 incident at TPC’s Port Neches plant.

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Please forward the copied documents directly to me at the following address:

Hariklia Karis
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Chicago, IL 50554

“Documents” includes, but is not limited to, information maintained in magnetic, electronic, digital, or optical format, including but not limited to word-processing documents, e-mail messages, pictures, videos, audio recordings, spread sheets, databases, calendaring and scheduling programs, other software programs, transcripts, interview notes, maps, charts, graphs, or any other method of storing data. “Documents” includes information that the EPA created and/or received from third parties.


Included in this request are documents that are known to exist, but are unavailable for review at the time of, or after receipt of, this request. This would include, but is not limited to, documents or data sets that are temporarily “checked out.”

We authorize you to charge us for searching for the materials and making copies up to a maximum of **\$7,500** without further authorization. If it appears that this amount will be exceeded, we would like the opportunity to review the material gathered in response to this request prior to copying.

Should you determine that any portion of the requested information or data is exempt from disclosure, please supply us with (1) a copy of the portion considered nonexempt; (2) an index and description of any withheld documents; and (3) a detailed statement of the reasons for withholding such information, including an indication of the specific exemption(s) you believe justify your refusal to release such information.

To expedite this request, we would be willing to discuss specific instances of exemption claims in advance of a final decision by the agency. As provided in the FOIA, please respond to this request within 20 (twenty) business days. I may be contacted at (312) 862 2330. Thank you very much for your assistance.

Sincerely,



Hariklia Karis